

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

AXIS CAPITAL, INC.,

Plaintiff,

vs.

AUGUSTYNIAK INSURANCE GROUP,
INC., and MICHAEL E. AUGUSTYNIAK,

Defendants.

8:12CV224

MEMORANDUM AND ORDER

IT IS ORDERED:

- 1) The motion to withdraw filed by Attorney Matthew W. Sparks, as counsel of record for Defendants Michael E. Augustyniak and Augustyniak Insurance Group, Inc. (filing no. 53), is granted.
- 2) On or before August 8, 2013, Defendant Michael E. Augustyniak shall either: (a) obtain the services of counsel and have that attorney file an appearance in this case; or (b) file a statement notifying the court of his intent to litigate this case without the assistance of counsel. The failure to do so may result in an entry of default and/or default judgment against Defendant Michael E. Augustyniak without further notice.
- 3) Defendant Augustyniak Insurance Group, Inc., a corporation, cannot litigate its action in this forum without representation by licensed counsel. [Knoefler v. United Bank of Bismarck, 20 F.3d 347, 347-48 \(8th Cir. 1994\)](#). On or before August 8, 2013, Defendant Augustyniak Insurance Group, Inc. shall obtain the services of counsel and have that attorney file an appearance on its behalf, in the absence of which the court may file an entry and/or judgment of default against it without further notice.
- 4) Matthew W. Sparks shall promptly mail a copy of this order to Defendants Michael E. Augustyniak and Augustyniak Insurance Group, Inc., and file a certificate of service stating the date and the manner of service, and the name and address served.

July 18, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge